

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FELANDES WILSON,

Defendant.

8:17CR164

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court on the Government's Motion for Issuance of Preliminary Order of Forfeiture, ECF No. 74. The Court has reviewed the record in this case and, being duly advised in the premises, finds as follows:

1. The Defendant has agreed to plead guilty to Counts I and III and agreed to admit to the Forfeiture Allegation. Count I charged the Defendant with conspiring to possess with intent to distribute marijuana; Count III charged the Defendant with using the mail and any facility in interstate commerce with intent to distribute the proceeds of a controlled substance, violations of 21 U.S.C. § 846 and 18 U.S.C. §1952. The Forfeiture Allegation sought the forfeiture, pursuant to 21 U.S.C. § 853, of \$38,260.00 seized from the Defendant on January 20, 2017, on the basis it was used or was intended to be used to facilitate said controlled substance violation and/or was derived from proceeds obtained directly or indirectly as a result of the commission of said controlled substance violation.

2. Pursuant to the parties' Stipulation (Filing No. 73), \$3,140.00 of that \$38,260.00 will be returned to Wilson, through his attorney's trust account. Wilson agrees to the forfeiture of the balance, \$35,120.00.

3. By virtue of said plea of guilty, the Defendant forfeits his interest in the subject currency, and the United States should be entitled to possession of said currency, pursuant to 21 U.S.C. § 853.

4. The United States' Motion for Issuance of Preliminary Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The United States' Motion for Issuance of Preliminary Order of Forfeiture is hereby sustained.

B. Based upon the Forfeiture Allegation of the Indictment, the Defendant's plea of guilty, and the parties' Stipulation, the U.S. Customs and Border Protection is hereby authorized to seize the \$35,120.00 in United States currency.

C. The Defendant's interest in the \$35,120.00 is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The aforementioned currency is to be held by the United States in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States forthwith shall publish for at least thirty consecutive days on an official internet government forfeiture site (www.forfeiture.gov) notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the \$35,120.00 in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject currency must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject currency and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency subject to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

I. U.S. Customs and Border Protection shall tender \$3,140.00 to the Defendant, Felandes Wilson, by delivering the same to the trust account of his attorney of record, Jessica, P. Douglas.

Dated this 31st day of May, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge